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### RUS42685.E

Russia: Impact of 1997 law on religion on non-traditional religious minorities (2000-2004) Research Directorate, Immigration and Refugee Board, Ottawa

The 1997 Russian law On Freedom of Conscience and Religious Associations acknowledges Christianity, Islam, Buddhism and Judaism as traditional religions in Russia (Russia 1 Oct. 1997). This report updates information on the impact of the 1997 law on religion on Pentecostals, Baptists and Jehovah's Witnesses, found in RUS35701.E of 9 November 2000, and provides information on the situation of religions not acknowledged within the "traditional religions" mentioned in the 1997 law. Please note that although they are members of what are considered traditional religions in Russia, some Catholics (Interfax 25 Feb. 2003; ibid. 24 Jan. 2003; ibid. 13 Sep. 2002; ibid. 9 Sep. 2002; ibid. 29 Aug. 2002; ibid. 12 July 2002; ibid. 6 May 2002; ibid. 24 Apr. 2002; Keston News Service 22 Apr. 2002; IRFW 27 Apr. 2004), Muslims (EECR 2002; Washington Post 23 Dec. 2002; Rossiyskaya Gazeta 12 Oct. 2002), Buddhists (UCSJ 7 June 2004; St. Petersburg Times 23 Aug. 2002; ibid. 20 Aug. 2002) and Jews (Interfax 7 Feb. 2002; UCSJ 15 Oct. 2002), have encountered difficulties based on their religion in Russia since 2000.

# **General Opinion**

President Putin commented in 2001 that Christianity and Islam coexist harmoniously in Russia (*Rossiyskaya Gazeta* 7 Sept. 2001) and President Rakhimov of the province of Bashkortostan built on this in 2002 when he commented that Christianity, Islam and Buddhism have been practiced in peace for over one hundred years on Russian territory (ibid. 23 Mar. 2002). According to other sources, however, relations between various religious members and groups are not necessarily harmonious in Russia: A Human Rights Watch London-based researcher stated at the 9<sup>th</sup> Country of Origin Information Seminar in Dublin, Ireland on 26 May 2004 that religious groups which have appeared in Russia since the collapse of the Soviet Union "experience difficulties." In the opinion of the United Nations High Commissioner for Refugees (UNHCR), non-traditional religious groups in Russia are "seriously disadvantaged" (UNHCR 28-29 June 2002). The human rights organization Moscow Helsinki Group echoes this opinion and identifies a "struggle" against non-traditional religious organizations in Russia by the Russian authorities (MHG n.d.a). Although a Federal Security Bureau (FSB) spokesman insisted that the FSB does not compose blacklists of foreign religious workers (*FSU Monitor* 25 Oct. 2002), UNHCR reported that the General Prosecutor's Office distributes a blacklist of religious groups to journalists, Orthodox Church clergy and government authorities (UNHCR 28-29 June 2002).

Sources report that several Russian regions have adopted laws more restrictive than the 1997 federal law on religion and as a result, the impact of the law varies throughout the territory of Russia (*Country Reports 2002* 31 Mar. 2003, Sec. 2c; IHF 26 June 2001; MHG n.d.b; UNHCR June 2002; F18 News 29 July 2003; ECRI 16 Mar. 2001; UK Apr. 2002; ibid. 2003; Freedom House 16 June 2003).

Since the 1997 law on religion was passed, numerous religious groups have encountered legal problems (*Country Reports 2002* 31 Mar. 2003, Sec. 2c; IHF 28 May 2002; AP 18 July 2002), religiously motivated violence (*International Religious Freedom Report* 2003 18 Dec. 2003, Sec. 2), difficulties registering with the authorities (IHF 15 July 2003, 32; *Country Reports* 2002 31 Mar. 2003, Sec. 2c), problems with building and owning places of worship (F18 News 15 Mar. 2004; *Country Reports* 2002 31 Mar. 2003, Sec. 2c; IHF 28 May 2002; MHG n.d.b; UK Apr. 2002; ibid. 2003), difficulty obtaining access to media broadcast time (COE 16 Apr. 2002; IHF 26 June 2001, 23), and harassment from local authorities and, in some cases, Federal Security Bureau agents (*Country Reports 2002* 31 Mar. 2003, Sec. 2c; MHG n.d.b; UK Apr. 2003; ibid. 2002; F18 News 29 July 2003). A Forum 18 News correspondent summarized the situation of religious freedom in Russia thus:

In the course of conversation with representatives of religious minorities in different parts of Russia, Forum 18 has frequently found that they claim not to encounter any particular problems from the state. On closer questioning, however, they might volunteer a few lesser restrictions, which, when

considered together, indicate that they do not in fact enjoy full religious freedom: obstructions in inviting a foreign preacher, in renting or building a place of worship, in working with local state social agencies. In Russia religious freedom is thus - currently loosely - circumscribed (ibid.).

The 1997 law on religions requires that religious organizations register with a federal or regional agency of justice (Russia 1 Oct. 1997). Registration applications must include the following documents: an application, the personal information of persons establishing the organization, the charter of the organization, the minutes of the constituent meeting, a document proving the religious organization has been present on Russian territory for fifteen years or more, information about the belief system that the organization upholds, including history of the religion, activities, views on family, marriage, education, health of its members, as well as any civil rights restrictions members and clergy adhere to and a document providing the location of the directing body of the religious organization (ibid.).

#### **Jehovah's Witnesses**

UNHCR reported in June 2002 that Jehovah's Witnesses were on the official blacklist of religious groups in Russia, and in 2001, the International Helsinki Federation for Human Rights (IHF) considered the Jehovah's Witnesses to be one of the primary targets of harassment based on religious grounds in Russia (IHF 26 June 2002, 23), as did Freedom House in 2003 (Freedom House 16 June 2003).

In January 2003, a Jehovah's Witness and her grandmother were beaten to death in Astrakhan (*International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2).

A court ruled in favour of Moscow Jehovah's Witnesses in 2001 in a lawsuit initiated by relatives of those who had been members of "totalitarian sects" (ITAR-TASS 6 Feb. 2001; BBC 26 Mar. 2004; ibid. 23 Feb. 2001). However, an appeals court allowed prosecutors to reopen the case (ibid. 26 Mar. 2004; ITAR-TASS 6 Feb. 2001; JW Public Affairs Office 26 Mar. 2004) and this lawsuit continued into 2002 with Moscow authorities accusing the religious community of "inciting religious strife, hatred and intolerance, [breaking] up families, infring[ing] upon individuals' rights and convert[ing] minors without their parents' permission" (IHF 28 May 2002). In March 2004, the court ruled that the Jehovah's Witnesses should be banned from operating in Moscow (BBC 26 Mar. 2004; FSU Monitor 1 Apr. 2004). The Jehovah's Witnesses launched an appeal of this decision that as of June 2004 had not yet been heard (F18 News 25 May 2004). As a result of the lawsuit, the Moscow branch of Jehovah's Witnesses was denied re-registration and has therefore been unable to rent meeting space (FSU Monitor 1 Apr. 2004; Country Reports 2002 31 Mar. 2003, Sec. 2c).

Jehovah's Witnesses also had trouble registering the title of property purchased in Khabarovsk (*International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2), and could not register themselves in Chuvashiya and Tver, but had successfully registered in Novgorod in 2002 (*Country Reports 2002* 31 Mar. 2003, Sec. 2c). Jehovah's Witnesses in Yuzhno Sakhalinsk were also embroiled in lawsuits because of property registration problems (*International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2).

#### **Protestants**

The following concerns Protestants in general. Please see below for specific information on Pentecostals and Baptists. IHF reported in 2001 that court proceedings against Protestant groups had been initiated in several Russian regions by local authorities who alleged that leaders of these religious groups used a psychological approach that threatened the health of its members (IHF 26 June 2001, 23).

Local authorities prohibited Protestants in the Mari-El republic (Keston News Service 16 July 2002) and Protestants in the Belgorod region from holding public evangelical meetings in 2002 (MHG n.d.b). However, in 2003 Russian authorities did allow Protestant groups to be present on military bases (*International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2).

### **Pentecostals**

According to *Country Reports 2002*, members of the local Pentecostal church in Azbest were harassed by local officials and reported that their church had been vandalized (*Country Reports 2002* 31 Mar. 2003, Sec. 2c). Officials in Khabarovsk allegedly referred to the church there as a "totalitarian sect" (ibid.), impeded registration of the church, and publicly discussed the negative effects of the religion (*International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2). In 2003, a Pentecostal church on Sakhalin Island was the target of a press campaign in which the church was defined as a "'state problem'" and accused of activities such as hypnotizing people and convincing them to give money and leave their families (*FSU Monitor* 20 Mar. 2003). The church was refused registration by the local registration authorities four times from 2001 to 2003 (ibid.). In Kostroma, local authorities unsuccessfully sought to liquidate two Pentecostal churches in 2000; according to a Pentecostal pastor, although the churches were registered in 2003, one congregation was asked to move premises on three

occasions due to pressure from the Orthodox church (F18 News 4 July 2003; *International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2).

#### **Baptists**

Although the Vanino Baptist church in Khabarovsk won the right to operate in a court case in August 2002, the group continued to encounter problems in registering and in carrying out its activities (*Country Reports 2002* 31 Mar. 2003, Sec. 2c). A Baptist church in Kazan also had registration difficulties and was evicted from its worship space in 2002 (Keston News Service 6 June 2002). Other cited incidents include Federal Security Bureau officers confiscating literature from Baptists in Stavropol, police removing tents set up by Baptists in Yalutorovsk and Chernyanka (F18 News 3 Sep. 2003), and the unregistered Baptist congregation in Moscow being prohibited from renting space in 2003 (ibid.; BP News 20 Mar. 2003; *International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2c). Foreign Baptist church members have also been denied entry visas (ibid.).

# **Salvation Army**

Although all other branches of the Salvation Army in Russia were able to register after the 1997 law came into effect, the Moscow branch of the Salvation Army was refused registration (BBC 23 Feb. 2001; IHF 28 May 2002) because it was categorized as a paramilitary group and as a result, the organization was dissolved in 2001 and later obliged to cease all activities by a court order (ibid.). However, the constitutional court in 2002 revoked the decision to liquidate the organization (*Country Reports 2002* 31 Mar. 2003, Sec. 2c; IHF 28 May 2002) and in November 2002 Agence France Presse reported that the Moscow branch of the Salvation Army would "likely" be reopened (AFP 25 Nov. 2002). The 2003 *International Religious Freedom Report* stated that the Moscow branch of Salvation Army had encountered difficulty in purchasing property, but was nevertheless active (18 Dec. 2003, Sec. 2).

#### **Church of Scientology**

The Moscow branch of the Church of Scientology won the right to operate after a court battle, but at the end of 2002 the church was still in court proceedings in other localities (*Country Reports 2002* 31 Mar. 2003, Sec. 2c; AP 18 July 2002). A chapter in Surgut, Tyumen region was denied registration on three occasions and in August 2001, the religious organization submitted an application with the European Court of Human Rights (*International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2). The St. Petersburg branch of the Church of Scientology has twice been refused registration (*Country Reports 2002* 31 Mar. 2003, Sec. 2c).

# **Church of Latter-Day Saints**

In 2002 there were 38 registered congregations of the Church of Latter-Day Saints (also known as Mormons) in Russia, but registration was refused to congregations in Ryazan, Kazan, Shakhty and Chelyabinsk (*Country Reports 2002* 31 Mar. 2003, Sec. 2c; *International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2). *International Religious Freedom Report 2003* stated there were 45 registered branches of the Church of the Latter Day Saints in June 2003 (18 Dec. 2003, Sec. 2). In Volgograd, members won a court case after which they were allowed to build and register a place of worship (*International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2; *Country Reports 2002* 31 Mar. 2003, Sec. 2c). Officials in Khabarovsk allegedly referred to the church as a totalitarian sect (ibid.) and foreign missionaries were reportedly detained and at times assaulted by police and had difficulty obtaining entry visas (*International Religious Freedom Report 2003* 18 Dec. 2003, Sec. 2). *International Religious Freedom Report 2003* cited an incident of physical assault on two missionaries by a group of youth (18 Dec. 2003, Sec. 2). Freedom House wrote in 2003 that Mormons were "frequent[ly]" harassed by local authorities (16 June 2003).

For information on the treatment of Hare Krishna, please consult RUS41560.E of 8 May 2003 and for information on the Seventh-Day Adventist Church, please consult RUS 40568.E of 27 January 2003.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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